

September 13, 2018

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Notice of Ex Parte Communication, MB Docket No. 18-214, GN Docket No. 12-268

Dear Ms. Dortch:

On September 11, 2018, I had a telephone conversation with Hillary DeNigro of the Incentive Auction Task Force. During the call, we discussed the Commission's Notice of Proposed Rulemaking and Order in the above-referenced docket.<sup>1</sup> In particular, we discussed the Commission's discretion to determine how to allocate funding Congress recently made available to the Commission for Fiscal Year 2019,<sup>2</sup> and the risks of predetermining a graduated payment schedule for FM radio stations or determining allocations of FY 2019 funds in the absence of more detailed information. The National Association of Broadcasters looks forward to continuing to work productively with the Commission to ensure that affected broadcast stations are treated fairly during the involuntary repack of broadcast television stations.

Respectfully Submitted,



Patrick McFadden  
Associate General Counsel,  
National Association of Broadcasters

cc: Hillary DeNigro

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<sup>1</sup> LPTV, TV Translator, and FM Broadcast Station Reimbursement, *Notice of Proposed Rulemaking and Order*, MB Docket No. 18-214, GN Docket No. 12-268, FCC 18-113 (August 3, 2018) (NPRM).

<sup>2</sup> Consolidated Appropriations Act, 2018, Pub. L. 115-141, at Division E, Title V, § 511, 132 Stat. 348 (2018) (codified at 47 U.S.C. § 1452(j)-(n)).